

# **Exhibit K**



# PRIVACY POLICY

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05/2020

### “Your privacy is not a game”

Ubisoft teams create original and memorable experiences so that players can have fun, interact with others and take pleasure through our games, applications, websites and online services (collectively hereinafter referred to as our **“Services”**).

We collect your personal data so that you can benefit from our Services and we make it our duty to adhere to the rules of the game!

This privacy policy is designed to help you understand how your data is used, inform you of your rights and how to exercise your rights.

## 1. What is personal data?

**“Personal Data”** (or **“Data”**), is all information that identifies you:

- either directly, for example, your last name, first name, email address or telephone number;
- or indirectly, for example your account ID, IP address, cookie identifier or game data.

For more information about the Data that Ubisoft collects, go to Section 3 “When does Ubisoft collect your Data and for what purpose?”.

## 2. Can minors access our Services?

The age at which minors can create a Ubisoft account or have access to some of our Services depends on the personal data protection laws of each country.

Ubisoft does not knowingly collect or store any personal information from children under 13 in the US or under the relevant age threshold in other jurisdictions where the child is located. However, we may collect technical

information required for delivering the service and for the support of our internal operations from all users of our Properties.

For more information, please see the article on the access and terms specific to minors in our [Terms of Use](#) of the Ubisoft Services.

### 3. When does Ubisoft collect your Personal Data and for what purpose?

We may collect your Data when:

#### a) You create a Ubisoft account (hereinafter referred to as your “Account”).

We collect your user name, password, email address, date of birth and country. Some items of Data, such as your user name, are made public to allow your community to find you in our Services.

When you create your Account, you can manage your subscription to receive the Ubisoft *newsletter* by email. You can unsubscribe at any time by:

- clicking on the unsubscribe link at the end of each *newsletter*,
- or on your [Account management page](#) in the “Privacy and communication” Section.

You can rest assured that, even if you unsubscribe, you will still receive the necessary emails for the management of your Account (for example, if you forget your password).

#### b) You sign into our Services with a social login or your credentials from a third party platform (for example, Facebook, Twitch).

We collect the Data that you have agreed to share via the social media site or third party platform in question.

#### c) You make a purchase in our games and in our online services.

We collect the Data needed to process your purchase, such as your last name, first name, mailing and email addresses, country, bank details and purchase history. This Data is sent to our partner service providers that are in charge of the payment and the delivery of your purchase (to learn more, go to Section 5 “How does Ubisoft share your Personal Data?”).

#### d) You use our games, applications, websites and online services on a computer or mobile telephone.

We collect:

- Your **game data**, to improve your experience and the security of our Services such as: achieved game levels, rewards, rankings, completed game missions, statistics including the game time or the use of the various features as well as the data associated with any bugs and malfunctions.
- Your **login and browsing data**, to enable the operation and security of our Services, such as: visited pages, identifier of your device and the connection (IP address, MAC address), login dates and times, information concerning the browser and the operating system you use.

We use various types of technologies such as **cookies** to collect such Data when you use our Services or visit a third party site where we and our partners provide content or carry out content use analysis.

We allow some of our partners to set and access their Cookies on your device. These partners’ use of Cookies is subject to their own privacy policies and not this Privacy Policy.

To refuse Cookies or request their deletion as well as obtain the list of partners who are permitted to store and/or access these Cookies, please see the [Cookies page](#).

You can also adjust your browser settings to understand when these Cookies are stored on your device or to disable the Cookies by consulting your browser’s “Help” menu. Please note that these settings may affect your ability to shop online or to access certain features of our Services whenever these Cookies are needed for the operation of our Services.

- Ubisoft, may on iOS games, integrate Apple's TrueDepth API to provide you with the animoji feature. If you choose to use this feature, the TrueDepth API allows the game to use the camera of the Iphone to change your face for a in-game character face. No face data nor any other biometric data is stored or sent to Ubisoft servers or any third party. If you want to opt-out please consult <https://legal.ubi.com/cookies/>.

**e) You play a Ubisoft game on your console.**

We may collect Data such as your age, country, user name and email address, which has been provided on your consoles in order to simplify the creation of your Account.

We also collect data transmitted by console manufacturers such as your console identifier, your game data as well as the data associated with any bugs and malfunctions.

**f) You interact with other players (forums, chat rooms, Ubisoft social media pages).**

We collect Data such as your user name, IP address, the date, time, and we save the content of your messages to allow you to interact with other players in a secure environment.

**g) You are exposed to personalised advertisements or content on our Services or those of our partners.**

We collect Data such as your age and gender, the advertisement and the number of times it was watched, its location in the game and the identifier of your device. We also collect information about your actions in relation to the advertisement, such as the sites visited as well as the dates and times of the visits.

We can combine the Data collected with our partners when you use our Services. We also combine this Data with demographic, advertising and market studies or with other analytic surveys.

We may also use all of your Data collected to offer you personalised advertisements, products, services or content (hereinafter referred to as "**Personalised Content**") via our Services or those of our partners.

If you wish to withdraw your consent or object to the personalisation of advertisements, please go to Section 6 "What are your rights and how do you exercise your rights", then to the paragraph "Give and withdraw your consent".

**h) You take part in a contest or survey organised by Ubisoft.**

We collect your last name, first name, date of birth, mailing and email addresses.

We use this Data to administer the contest or the survey, to send you promotional offers and/or for internal statistical purposes.

**i) You contact us via the Ubisoft Customer Support portal or social media.**

If you contact us via the Customer Support portal, we collect Data such as your last name, first name, user name, email address, date of birth, country, console identifier and games registered on your Account, depending on your questions or requests.

If you contact us via social media, we collect some of the Data included on your profile.

We only use this Data to appropriately respond to your questions and requests.

**j) You do not comply with the rules of the game.**

When you use our Services, we ask that you comply with the [Terms of Use of the Ubisoft Services](#) and the codes of conduct associated with our Services which are intended to protect our users, employees and more generally Ubisoft's rights.

If you do not abide by these rules, you may be sanctioned including in the event of inappropriate conduct, cheating or toxic behaviour. We will keep your Data for the time needed to apply these sanctions. This Data may include for example your Account identifier, your game data, your IP address, the identifier of your device and your chat history.

**k) You create a Quartz account.**

When you create a Quartz account, we may collect and process your personal information (such as your crypto-wallet public address and information relating to the transactions you operate) to provide the services available to you on Ubisoft Quartz. We may combine this information with other personal data we hold about you, including information from your Ubisoft Connect account, for example to assess your eligibility to use the Ubisoft Quartz services.

In the course of providing you the Services on Ubisoft Quartz, we may share your crypto-wallet public address with independent controllers to process the transactions you operate.

Some of your personal information (including your Ubisoft username and your crypto-wallet public address) will be embedded into the Digits. Due to the nature of blockchain, the retention period of the personal data embedded in the Digits is aligned with the duration of the blockchain, which means that your rights to rectification and erasure may not be extended to the data embedded in the Digits.

## 4. How long does Ubisoft keep your Personal Data?

Unless the law specifies a different retention period, Ubisoft will only keep your Data for the time strictly necessary to carry out the operations for which said Data has been collected by Ubisoft.

For example, we will keep the Data associated with your Account until the closure of the Account. In some cases, the Data may be kept for a longer period such as when it is needed for us to apply a sanction.

## 5. How does Ubisoft share your Personal Data?

We may share your Data with:

- Ubisoft subsidiaries involved in the administration of the Services (Ketchapp, Green Panda Games, Kolibri Games, ...). You can find more information about the group on our dedicated website: <https://www.ubisoft.com/en-us/company/overview.aspx>
- The technical service providers involved in the supply of the Services (for example, product delivery, promotion of the Services, to act against inappropriate conduct, cheating and toxic behaviour). As subcontractors, these service providers are under the same obligations as Ubisoft to comply with applicable personal data protection laws.
- The partners who use your Data to provide you with personalised advertisements or Personalized Content.
  - To consult a list of Ubisoft's partners, please see the [Cookies page](#).
  - To opt out of the sharing of your Data, please see Section 6 "What are your rights and how do you exercise your rights", then to the paragraph "Give and withdraw your consent".
- Other companies, only in the event of transfer of Ubisoft's activities.
- Administrative or judicial authorities, to verify the proper use of the Data by Ubisoft or for the purposes of an investigation, in compliance with applicable law. Ubisoft always verifies the legitimacy of the request.

In such cases, your Data may be transferred to countries located outside of the European Union who provide an equivalent level of protection. In the event of transfer to other countries, the protection of your Data is especially ensured by the signature of [standard contractual clauses](#) approved by the European Commission.

## 6. What are your rights and how do you exercise your rights?

- **Obtain a copy of your Data – "Right of access and data portability":** At any time you can request a copy of the Data associated with your Account. You may also consult the Data, use it yourself or transfer it to another service provider. Ubisoft has established a simple procedure for you to exercise your rights:

Please see the [Account management page](#), in the "Privacy and Communication" Section, then "Download your information".

If you have been sanctioned in relation to our Services, we will not be able to give you access to the Data

regarding your sanction so as to maintain our ability to detect or take action against such behaviour.

- **Correct your Data – “Right to rectification”:** You have the right to correct your Data when it is inaccurate or incomplete (for example, change your delivery address).

To do so, please see the [Account management page](#), in the “Account information” Section.

- **Give and withdraw your consent – “Right to object and withdraw your consent”:** At any time, you may withdraw your consent or object to the receipt of *newsletters* or advertising emails, the personalisation of advertisements or the sharing of your Data with our partners (except for subsidiaries and technical service providers):
  - on the [Account management page](#), in the “Privacy and Communication” Section,
  - on the [Cookies page](#), to set the Cookies,
  - for some of our mobile games, in the privacy settings,
  - on your telephone or your tablet, in the settings, by activating “Limit Ad Tracking” on Apple telephones, or activating “Opt-out of Ads Personalisation” on Android telephones. \*

- **Delete your Account – “Right to erasure (right to be forgotten)”:** You can request the closure of your Account and the deletion of the associated Data.

To do so, please see the [Account management page](#) in the “Account information” Section then “Close your Ubisoft account”.

If you have been sanctioned in relation to our Services, we cannot delete the Data regarding your sanction as to allow us to maintain your sanction.

- **Limit the use of your Data – “Right to restriction of processing”:** You also have the right to request that your Data no longer be used or not be deleted during the time we are processing your request. To do so, please contact the Ubisoft Customer support department [here](#).

To exercise your rights if you do not have an Account or for any question regarding the exercise of these rights, you can [contact the Ubisoft Customer Support](#) at any time.

If you feel that your rights have not been respected after having contacted us, you have the right to make a complaint to the regulatory authority in your country.

## 7. When can Ubisoft use your Data?

We can use your Data in one of the following circumstances:

- **The existence of a contract** between you and Ubisoft to provide you with Services. You enter into this contract with Ubisoft by accepting the [Terms of Use of the Ubisoft Services](#).
- Ubisoft’s **legitimate interest** (or reasonable expectations of users), to offer you the best possible user experience, such as to ensure the security of the Services, moderate the community, respond to your requests and questions or to send you *newsletters*.
- **Your consent** to offer you advertisements, products, services or personalised content depending on your user profile.

Ubisoft is entitled to change this policy at any time. We will inform you of the material updates and recommend that you consult this policy on a regular basis or contact us if you have any questions. Using our Services following such a change means that you accept any changes.

## 8. Contact

If you have any questions about this document, please contact:

- The Data Protection Officer and his or her team [here](#).
- By mail: UBISOFT ENTERTAINMENT SA (data controller), 2, rue du Chêne Heleuc – 56910 Carentoir (France)

For any other questions, including if your question relates to the hacking of your Account, a problem with online payment or the use of our products and Services, please [contact Ubisoft Customer Support](#).

#### Local contacts

- **Canada**

Attention: Legal Department

Address: Ubisoft: 5505 St-Laurent Blvd., Suite 5000, Montréal, Québec, H2T 1S6, Canada

- **South Korea**

Attention: Young-Soo Kim

Address: 28 Saemunan-ro 5ga-gil, Jongno-gu, Seoul

Email: [Ubisoft\\_Privacy\\_Korea@generalagent.co.kr](mailto:Ubisoft_Privacy_Korea@generalagent.co.kr)

Telephone number: 02-736-8275

- **United States**

Attention: Ubisoft, Inc., Privacy Rights Administrator c/o Legal Department

Address: 625 third Street San Francisco, 94107 CA, USA

Ubisoft is a licensee of the ESRB's Privacy Certified Program : <https://www.esrb.org/EPCCConfirm/912/>. If you believe that we have not responded to your inquiry or your inquiry has not been satisfactorily addressed, please contact ESRB at: <https://www.esrb.org/privacy/contact/> or by email at: [privacy@esrb.org](mailto:privacy@esrb.org)



## 9. Your California privacy rights

This privacy notice for California Residents supplements the information contained in this Privacy Policy and applies to visitors, users, and others who reside in the State of California. Consumers residing in California have certain rights with respect to their personal information under the California Consumer Privacy Act ("CCPA").

**Collection and Use of Personal Data:** In the preceding 12 months, we have collected the following categories of Data: identifiers, personal information categories listed in the California Customer Records statute, commercial information, internet or other similar network activity, and geolocation data. For examples of more specific information we collect and the sources of such collection, please see Section 3 'When does Ubisoft collect your Personal Data and for what purpose?' in the Privacy Policy. We collect your Data for the business and commercial purposes described in Section 3.

**Disclosure of Personal Data:** We may share your Data with third parties as described in the "How does Ubisoft share your Personal Data?" above. In the preceding 12 months, we have disclosed the following categories of your Data for business or commercial purposes: identifiers, personal information categories listed in the California Customer Records statute, commercial information, internet or other similar network activity, and geolocation data.

**Sale of Data:** California law requires that we provide transparency about your Data we "sell," which for the purposes of the CCPA, means scenarios in which personal information is shared with third parties/partners in exchange for valuable consideration. In the preceding 12 months, we have "sold" the following categories of your Data, depending on how the CCPA is interpreted: identifiers, personal information categories listed in the California Customer Records statute, commercial information, internet or other similar network activity, and geolocation data.

**Minors:** We may share or "sell" your personal information as described in Minors of our Privacy Policy.

**Your Rights and Choices:** Some US states have enacted laws (including the CCPA) that give you the ability to opt out of the sale of your Data to third parties. In effect, this will disable targeted advertising provided by Ubisoft's third-party partners, which means that Ubisoft will no longer share your Data with third-party partners to customize your advertising experience.

Ubisoft enables you to do so by using the following privacy controls.

- **On Ubisoft websites:** please find on our [Cookies Page](#) the list of third parties that may implement and/or access cookies on your computer or mobile device. You can opt-out from third-party cookies at any time by clicking on the link "Set Cookies" at the bottom of each Ubisoft webpage. Switching the checkbox to "Off" for all cookies other than "Essential cookies" will prevent third parties from using cookies to track your activity on Ubisoft websites.
- **On your Ubisoft Account:** you can opt-out of the sale of your personal data at any time by logging in to your Ubisoft [Account Management Page](#). You can then access the "Privacy and communication" Section, then click "Manage" in the box labeled "Ubisoft advertising on partner websites" and set it to "No".
- **On mobile games:** to opt out of the sale of your personal information on mobile game, please navigate to the "Privacy Settings" section in the game's Settings menu, then un-check the box "I accept that Ubisoft process my data for its own use and/or shares it with trusted partners for marketing purposes." You may also opt out of the sale of your personal information directly in the settings menu of your telephone or tablet by activating "Limit Ad Tracking" on Apple telephones, or "Opt-out of Ads Personalization" on Android telephones. Ubisoft games also include mechanism available for players to opt out from the sale of their game data. Please visit the settings menu of each game to learn more.

You can also opt-out of the sale of your Data by contacting our customer support team using [this support form](#).

You also have the right to (1) request more information about the categories and specific pieces of Data we have collected, sold and disclosed for a business purpose in the last 12 months, (2) deletion of your Data, and (3) be free from discrimination for exercising your rights under the CCPA. To exercise your rights described above, please submit a verifiable consumer request to us as specified in our Privacy Policy.

If we need additional information to verify your identity, we will contact you to request that information. If we are not able to verify your identity, we will deny your request. If you would like to designate an authorized agent to make a request on your behalf, you must (i) provide the agent signed permission to do so, (ii) provide proof of your identity, and (iii) directly confirm you provided the authorized agent permission to submit the request. If we do not receive the above, we will deny the request.

#### California Consumers Requests – Metrics Reporting for 2020:

- **Right to Access:**
  - Requests made in the United States: 15,640
  - Requests denied: 382
  - Average completion time: within 24hrs.
- **Right to Deletion:**
  - Requests made in the United States: 26,309
  - Requests denied: 0
  - Average completion time: 30 days
- **Right to Opt-out from the Sale of Personal Information:**
  - Requests made in the United States: 10,699
  - Requests denied: 0
  - Average completion time: within 24hrs.

**California Shine the Light Law:** California Civil Code Section 1798.83 permits users of services that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please submit a verifiable consumer request to us by



either:

- navigating to <https://support.ubisoft.com/Article/000063467/> or
- writing to us at Ubisoft, Inc. Attn: Privacy Rights Administrator c/o Legal Department, 625 Third Street San Francisco, 94107 CA, USA.

**California Rights for Minor Users:** California Business and Professions Code Section 22581 permits you, if you are a California resident under the age of 18, to view, correct, or remove information provided by you or publicly posted by you. To make such a request, please submit a verifiable consumer request to us by either:

- navigating to <https://support.ubisoft.com/Article/000063467/> or
- writing to us at Ubisoft, Inc. Attn: Privacy Rights Administrator c/o Legal Department, 625 Third Street San Francisco, 94107 CA, USA.

We may still retain your information to resolve disputes, enforce our user agreement, or comply with legal requirements.

**California Do Not Track Disclosures:** "Do Not Track" is an internet browser setting regarding tracking and your browser may allow you to set a DNT signal indicating that you do not wish your online activity to be tracked. As there are currently no agreed upon standards for the DNT signals or how to respond to them, our system does not support and cannot act on DNT signal headers that we may receive. However, the choices that we provide you concerning collection and use of your personal information will continue to operate as described in this Privacy Policy.